

McDermott Will & Emery

Boston Brussels Chicago Düsseldorf London Los Angeles Miami Munich
New York Orange County Rome San Diego Silicon Valley Washington, D.C.
Strategic alliance with MWE China Law Offices (Shanghai)

Shirley S. Fujimoto
Attorney at Law
sfujimoto@mwe.com
202.756.8282

February 4, 2008

VIA MESSENGER

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
c/o Natek, Inc.
236 Massachusetts Avenue, N.E.
Suite 110
Washington, DC 20002

FILED/ACCEPTED

FEB - 4 2008

Federal Communications Commission
Office of the Secretary

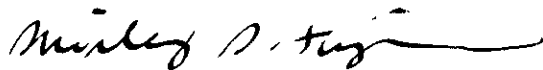
Re: Arkansas Cable Telecommunications Association, et al., v. Entergy Arkansas, Inc., EB
Docket No. 06-53, EB-05-MD-004; Withdrawal of Application for Review

Dear Ms. Dortch:

Enclosed for filing please find the original and fourteen (14) copies of Entergy Arkansas, Inc.'s Withdrawal of its Application for Review in the above-referenced matter. In addition, we request that you date-stamp the enclosed extra copy and return it with the messenger in the envelope provided.

Thank you for your assistance in this matter. If you should have any questions, please do not hesitate to contact the undersigned.

Very truly yours,



Shirley S. Fujimoto

Counsel for Entergy Arkansas, Inc.

Encl.

No. of Copies rec'd 0714
List ABCDE

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

FILED/ACCEPTED

FEB - 4 2008

Federal Communications Commission
Office of the Secretary

In the Matter of)	
)	
Arkansas Cable Telecommunications)	EB Docket No. 06-53
Association; Comcast of Arkansas, Inc.;)	
Buford Communications I, L.P. d/b/a)	
Alliance Communications Network;)	
WEHCO Video, Inc.; and TCA Cable)	EB -05- MD-004
Partners d/b/a Cox Communications,)	
)	
)	
<i>Complainants,</i>)	
)	
v.)	
)	
Entergy Arkansas, Inc.,)	
)	
<i>Respondent.</i>)	

To: The Commission

WITHDRAWAL OF APPLICATION FOR REVIEW

Entergy Arkansas, Inc. ("EAI" or "Respondent"), by and through its undersigned counsel, hereby withdraws its Application for Review filed on May 19, 2006, of the Hearing Designation Order ("HDO") issued by the Enforcement Bureau in the above-captioned proceeding.

EAI is withdrawing its Application for Review as a result of a settlement agreement by and between the Parties to the above-captioned proceeding resolving all claims and counterclaims asserted in this proceeding.¹ Pursuant to this settlement agreement, the Parties

¹ / The Parties to this proceeding are Arkansas Cable Telecommunications Association, Comcast of Arkansas, Inc., Buford Communications I. L.P. d/b/a Alliance Communications
(continued...)

filed a Joint Motion for Dismissal of the underlying Complaint in the above-captioned proceeding. On January 9, 2008, the Presiding Officer granted the Joint Motion, issuing an Order released on January 11, 2008, dismissing the Complaint with prejudice and terminating this proceeding. A copy of this Order is attached as Exhibit A. With the termination of this proceeding, the issues raised in EAI's Application for Review of the HDO have been rendered moot, and there is thus no further need for the Commission to consider EAI's Application.

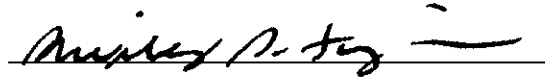
EAI further submits that the termination of this proceeding and the withdrawal of its Application for Review will serve the public interest by promoting the private resolution of disputes and by eliminating the need for further litigation and the expenditure of further time and resources of the parties and the Commission.²

Network, WEHCO Video, Inc., Coxcom, Inc., Cebridge Acquisition, L.P. d/b/a Suddenlink Communications (collectively, "Complainants") and Entergy Arkansas, Inc. ("Respondent").

²/ *Fiber Technologies Networks, Inc. v. Verizon New England and Narragansett Electric Company*, Order of Dismissal, ¶ 3, DA-06-2309, File No. EB-06-MD-006 (Nov. 15, 2006).

WHEREFORE, THE PREMISES CONSIDERED, Entergy Arkansas, Inc.
respectfully withdraws its Application for Review.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Shirley S. Fujimoto", is written over a horizontal line.

Shirley S. Fujimoto
David D. Rines
McDERMOTT WILL & EMERY LLP
600 Thirteenth Street, N.W.
Washington, D.C. 20005-3096
T: 202.756.8000
F: 202.756.8087

Wm. Webster Darling
Entergy Services, Inc.
425 West Capitol Avenue
27th Floor
Little Rock, AR 72201
T: 501.377.5838
F: 501.377.5814

Attorneys for Entergy Arkansas, Inc.

February 4, 2008

CERTIFICATE OF SERVICE

I, David D. Rines, do hereby certify that on this 14th day of February, 2008, a single copy (unless otherwise noted) of the foregoing "Withdrawal of Application for Review" was delivered to the following by the method indicated:

Marlene H. Dortch (hand delivery) (**ORIGINAL PLUS 14 COPIES**)
Secretary
Federal Communications Commission
445 12th Street, S.W., Room TW-A325
Washington, D.C. 20554

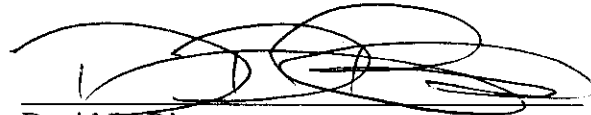
Hon. Arthur I. Steinberg (overnight delivery, fax, e-mail)
Administrative Law Judge
Office of the Administrative Law Judge
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554
Fax: (202) 418-0195

John Davidson Thomas (hand-delivery, e-mail)
Paul Werner, III
Dominic F. Perella
Amy Sinko Mushawar
Hogan & Hartson LLP
Columbia Square
555 13th Street, N.W.
Washington, D.C. 20004

Kris A. Monteith, Bureau Chief (overnight delivery, e-mail)
Federal Communications Commission
Enforcement Bureau
445 12th Street, S.W.
Washington, D.C. 20554

Alex Starr (overnight delivery, e-mail)
Lisa Saks
Michael Engel
Federal Communications Commission
Enforcement Bureau
Market Dispute Resolutions Division
445 12th Street, S.W.
Washington, DC 20554

Best Copy and Printing, Inc. (U.S. Mail)
Federal Communications Commission
Room CY-B402
445 12th Street, S.W.
Washington, D.C. 20554

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke at the end, positioned above a horizontal line.

David D. Rines

EXHIBIT A

Order Terminating the Proceeding

DOCKET FILE COPY ORIGINAL

Before the
Federal Communications Commission
Washington, D.C. 20554

FCC 08M-02
06816

In the Matter of)	EB Docket No. 06-53
)	
Arkansas Cable Telecommunications Association;)	
Comcast Of Arkansas, Inc.; Buford)	
Communications I, L.P. d/b/a Alliance)	
Communications Network; WEHCO Video, Inc.;)	
and TCA Cable Partners d/b/a Cox)	
Communications,)	File No. EB-05-MD-004
)	
Complainants,)	
)	
v.)	
)	
Entergy Arkansas, Inc.,)	
)	
Respondent.)	

MAILED
JAN 17 2008
FCC WASHINGTON

ORDER TERMINATING PROCEEDING

Issued: January 9, 2008

Released: January 11, 2008

Under consideration is a Joint Motion for Dismissal with Prejudice, filed on December 27, 2007, by Complainants¹ and Entergy Arkansas, Inc. ("EAI").

Complainants and EAI request the termination of this proceeding. In support, they stipulate that the dispute giving rise to the Complaint and all claims and counterclaims asserted in this proceeding have been satisfactorily resolved, and that the terms of the settlement agreement are in compliance with the Pole Attachment Act, 47 U.S.C. §224, and the Rules and policies of the Commission adopted thereunder.

Good cause having been shown, the Joint Motion will be granted and this proceeding will be terminated. Suffice it to say, the dismissal of the Complaint filed in this proceeding will serve the public interest by promoting the private resolution of disputes and by eliminating the need for further litigation and the expenditure of additional time and resources by Complainants, EAI, and the Commission. This conclusion has been based, specifically, on the joint stipulation of Complainants and EAI as recited above.

Accordingly, IT IS ORDERED that the Pole Attachment Complaint, File No. EB-05-MD-004, filed by Complainants on February 18, 2005, IS DISMISSED with prejudice.

¹ Arkansas Cable Telecommunications Association, Comcast of Arkansas, Inc., Buford Communications I, L.P. d/b/a Alliance Communications Network, WEHCO Video, Inc., Coxcom, Inc., and Cebridge Acquisition, L.P., d/b/a Suddenlink Communications.